

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE  
REV. 7-2006

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

GER-0803

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/576,651

INTERNATIONAL APPLICATION NO.  
PCT/FR2004/002522INTERNATIONAL FILING DATE  
6 OCTOBER 2004PRIORITY DATE CLAIMED  
20 OCTOBER 2003

TITLE OF INVENTION

TEXTILE BASED ON A MIXTURE OF ABRASION RESISTANT TECHNICAL FIBERS

APPLICANT(S) FOR DO/EO/US  
PIERRE HENRY SERVAJEAN

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 23 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☐ Express Mail Label No.

U.S. APPLICATION NO (if known, see 37 CFR 1.5) <b>10/576,651</b>	INTERNATIONAL APPLICATION NO. <b>PCT/FR2004/002522</b>	ATTORNEY'S DOCKET NUMBER <b>GER-0803</b>				
<p>23. Other items or information:</p> <p style="margin-left: 20px;">Notice to File Missing Requirements Certificate of Mail</p>						
<p>The following fees have been submitted:</p>		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">CALCULATIONS</th> <th style="width: 50%;">PTO USE</th> </tr> </table>	CALCULATIONS	PTO USE		
CALCULATIONS	PTO USE					
<p>24. <input type="checkbox"/> Basic national fee . . . . . \$300</p>		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">\$</td> <td style="width: 50%;">\$0.00</td> </tr> </table>	\$	\$0.00		
\$	\$0.00					
<p>25. <input type="checkbox"/> Examination fee (37 CFR 1.492(c))</p> <p>If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article</p> <p style="margin-left: 100px;">\$0</p> <p>All other situations. . . . . \$200</p>		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">\$</td> <td style="width: 50%;">\$0.00</td> </tr> </table>	\$	\$0.00		
\$	\$0.00					
<p>26. <input type="checkbox"/> Search fee (37 CFR 1.492(b))</p> <p>If the written opinion of the ISA/US or the International preliminary examination report by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4). . . \$0</p> <p>Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the as an International Searching Authority. . . . . \$100</p> <p>International Search Report prepared by an ISA other than the US and provided to the previously communicated to the US by the IB. . . . . \$400</p> <p>All other situations. . . . . \$500</p>		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">\$</td> <td style="width: 50%;">\$0.00</td> </tr> </table>	\$	\$0.00		
\$	\$0.00					
<p><b>TOTAL OF 24, 25 and 26 =</b></p>		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">\$</td> <td style="width: 50%;">\$0.00</td> </tr> </table>	\$	\$0.00		
\$	\$0.00					
<p><input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.</p>						
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)				
- 100 =	0	/50 = 0				
x \$250.00						
		\$ \$0.00				
<p>Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).</p>		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">\$</td> <td style="width: 50%;">\$130.00</td> </tr> </table>	\$	\$130.00		
\$	\$130.00					
CLAIMS	NUMBER FILED	NUMBER EXTRA				
Total claims	- 20 =	0				
x \$50.00						
		\$ \$0.00				
Independent claims	- 3 =	0				
x \$200.00						
		\$ \$0.00				
<p>MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/> + \$360.00</p>		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">\$</td> <td style="width: 50%;">\$0.00</td> </tr> </table>	\$	\$0.00		
\$	\$0.00					
<p><b>TOTAL OF ABOVE CALCULATIONS =</b></p>		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">\$</td> <td style="width: 50%;">\$130.00</td> </tr> </table>	\$	\$130.00		
\$	\$130.00					
<p><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.</p>		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">\$</td> <td style="width: 50%;">\$65.00</td> </tr> </table>	\$	\$65.00		
\$	\$65.00					
<p><b>SUBTOTAL =</b></p>		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">\$</td> <td style="width: 50%;">\$65.00</td> </tr> </table>	\$	\$65.00		
\$	\$65.00					
<p>Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).</p>		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">\$</td> <td style="width: 50%;">\$0.00</td> </tr> </table>	\$	\$0.00		
\$	\$0.00					
<p><b>TOTAL NATIONAL FEE =</b></p>		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">\$</td> <td style="width: 50%;">\$65.00</td> </tr> </table>	\$	\$65.00		
\$	\$65.00					
<p>Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +</p>		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">\$</td> <td style="width: 50%;">\$0.00</td> </tr> </table>	\$	\$0.00		
\$	\$0.00					
<p><b>TOTAL FEES ENCLOSED =</b></p>		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">\$</td> <td style="width: 50%;">\$65.00</td> </tr> </table>	\$	\$65.00		
\$	\$65.00					
<p>01/22/2007 LANDGRA 00000015 061130 10576651</p> <p>01 FC:2617 65.00 DA</p>		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Amount to be</td> <td style="width: 50%;">\$</td> </tr> <tr> <td>Amount to be</td> <td>\$</td> </tr> </table>	Amount to be	\$	Amount to be	\$
Amount to be	\$					
Amount to be	\$					

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

- a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 06-1130 in the amount of \$ \$65.00 to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-1130. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Daniel F. Drexler  
Registration No. 47,535  
CANTOR COLBURN LLP  
55 Griffin Road South  
Bloomfield, CT 06002  
Telephone: 860-286-2929  
Customer No.: 23413

  
SIGNATURE

Daniel F. Drexler

NAME

47,535

REGISTRATION NUMBER

16 JAN 2007  
DATE



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/576,651	Pierre Henry Servajean	GER-0803

INTERNATIONAL APPLICATION NO.

PCT/FR04/02522

23413  
 CANTOR COLBURN, LLP  
 55 GRIFFIN ROAD SOUTH  
 BLOOMFIELD, CT 06002

RECEIVED

I.A. FILING DATE

10/06/2004

PRIORITY DATE

10/20/2003

JAN 10

CONFIRMATION NO. 8181

CANTOR COLBURN LLP

371 FORMALITIES LETTER



\*OC000000021865421\*

Date Mailed: 01/08/2007

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 04/20/2006
- English Translation of the IA filed on 04/20/2006
- Copy of the International Search Report filed on 04/20/2006
- Preliminary Amendments filed on 04/20/2006
- Information Disclosure Statements filed on 04/20/2006
- U.S. Basic National Fees filed on 04/20/2006

The applicant needs to satisfy supplemental fees problems indicated below.

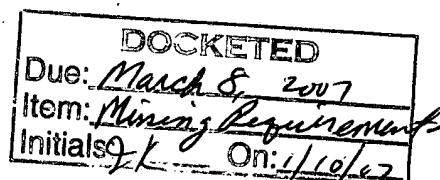
The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

- \$65 Surcharge.



**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

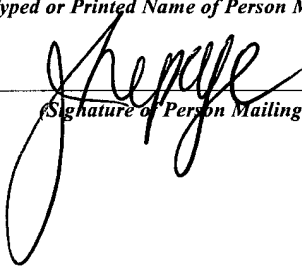
**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

MAMIE P PERSON

Telephone: (703) 308-9140 EXT 227

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/576,651	PCT/FR04/02522	GER-0803

<b>CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)</b>			<div>PCI</div> Docket No. <b>GER-0803</b>	
Applicant(s): <b>PIERRE HENRY SERVAJEAN</b>				
Application No. <b>10/576,651</b>	Filing Date <b>04/20/06</b>	Examiner	Customer No. <b>23413</b>	Group Art Unit
Invention: <b>TEXTILE BASED ON A MIXTURE OF ABRASION RESISTANT TECHNICAL FIBERS</b>				
<div><div>8 P.F. 4338 JAN 19 2007 PATENT &amp; TRADEMARK OFFICE</div></div>				
<p>I hereby certify that this <u>Response to the Notice to File Missing Requirements; Declaration/Power of Atty</u> (Identify type of correspondence)</p> <p>is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on <u>16 January 2007</u> (Date)</p> <div><div>Jennifer Lepage (Typed or Printed Name of Person Mailing Correspondence)</div><div> (Signature of Person Mailing Correspondence)</div></div>				
<p><b>Note: Each paper must have its own certificate of mailing.</b></p> <div></div>				